UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/880,169	06/13/2001	Arjun Nayyar	60126.800US01	5813

37509 7590 07/27/2005

DECHERT LLP
P.O. BOX 10004
PALO ALTO, CA 94303

EXAMINER	
DANG, DUY M	

ART UNIT	PAPER NUMBER
2621	

DATE MAILED: 07/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/880,169	NAYYAR, ARJUN	
	Examiner	Art Unit	
	Duy M. Dang	2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on 5/2/05.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-10 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-10 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on 13 June 2001 is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Applicant's amendment filed 5/2/05 has been entered and made of record.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-5, and 7-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Corset et al. [US Patent No. 5,995,668. Art of record, IDS filed 1/30/02].

Regarding claim 1, Corset teaches:

segmenting the image into a plurality of segments [see figure 8];

analyzing a first segment of the plurality of segments to determine compression technique for the first segment [see analysis step mentioned in abstract. Note that this analysis step allows a suitable selection of coding technique for each region. Also refer to figure 8 which includes a plurality of coding techniques (BCT #1 and #3) applied to each region];

applying the compression technique to the first segment [i.e., choose best coding technique for each region mentioned in abstract] whereby the first segment is transformed into a storable form [see column 15 lines 10-14];

creating a tag for compressed first segment, the tag including a decompression instruction particular to the compression technique and information identification the beginning, an outline and boundaries of the first segment [i.e., the information comprising motion information, partition information, contour information coding strategy,..., mentioned in col. 15 lines 15-34

refers to the so called "tag". Also, refer to examiner's response to applicant's remarks in paragraph 5 below];

storing the tag and the compressed first segment in a storage medium [see col. 15 lines 10-34. Note output bitstream];

repeating the steps of analyzing, applying, creating and storing for each subsequent segment of the plurality of segments wherein each of the plurality of segments is compressed by compression technique that is optimal to that particular segment [see iteration mentioned in col. 12 line18-31 and figures 6 and 8. Also refer to coding technique employing a wavelets decomposition, adaptive DCT mentioned in col. 13 lines 5-10].

Regarding claims 2 and 8, Corset further teaches wherein two or more compression techniques are different from each other [see two coding techniques having rate R_H and rate R_L mentioned in col. 12 lines 28-30, and intra-coding and inter-coding techniques mentioned in col. 11 lines 28-31].

Regarding claim 3, Corset further teaches dividing segment into sub-segments [see figures 6 and 8 and "wavelets" mentioned in col. 13 line 9] and repeating the steps of analyzing, applying, creating and storing each of the sub-segments [see claim 1 above]

Regarding claim 4, Corset further teaches encoding the plurality of compressed images to form a file of compressed encoded image data in transmittable form and storing the file in the storage medium [see col. 15 lines 10-20].

The advanced statement with regard to claim 1 above are incorporated herein. With regard to claims 5 and 7, Corset further teaches a plurality of images [i.e., a sequence of original pictures mentioned in col. 1 line 8].

Regarding claim 9, Corset further teaches segments area either overlapping or arbitrarily shaped regions of the images [see figures 6, 8, and 12].

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 6 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Corset et al. [US Patent No. 5,995,668. Art of record, IDS filed 1/30/02] in view of Qian et al [US Patent No. 6,070,167. Art of record, IDS filed 1/30/02].

The advanced statements as applied to claims 1-5, and 7-9 in paragraph 9 above are incorporated herein. With regard to claims 6 and 10, while Corset et al teaches storing the compressed segment comprising writing a data file [i.e., storage medium for storing coded signal mentioned in column 1 lines 16-18], Corset fails to teach writing data file with information including one or more of memory management, data description members, and display instruction members.

However, Qian et al. teaches writing data file information [i.e., "integration into common file" shown at 17 of figure 1 and mentioned in column 3 lines 17-19] including memory management [i.e., flags stored in base layer mentioned in column 4 line 60 to column 5 line 21. Note the function of these flags is to indicate whether or not there is additional available information related to image data for transmitting. This interpretation is consistent with applicant's disclosed on page 11 of the specification lines 36-37 that states "The memory management includes a command or instruction that facilitates the maintenance of available

memory during play back."]; data description members [i.e., MPEG-7 descriptors including shape mentioned in col. 8 lines 20-21 (note this interpretation is consistent with applicant's disclosed on page 12 of the specification line 9 that states "The data description describes data, including, but not limited to, shape)]; and display instruction members [i.e., the coordinates mentioned in col. 8 lines 31-35 and detailed in Table 1 in col. 5 lines 41-60. This interpretation appears to be consistent with applicant's disclosed on page 12 of the specification lines 18-24].

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Corset et al. and Qian et al. in order to obtain the claimed invention as specified in claims 6 and 10 as suggested by Qian et al. in column 10 lines 54-61. The motivation to do so is to (1)prevent data overflow by transmitting a partial image data for viewing and indicating more available data upon request at viewer's choice [see Qian et al., column 5 lines 3-31], and (2)allow more compatibility in displaying and viewing image [see Qian et al. column 3 lines 26-28].

5. Applicant's arguments filed 5/2/05 have been fully considered but they are not persuasive.

The objection to disclosure, the rejection to claim 4 under section 35 USC 112, 1st paragraph, and the rejection to claims 1-6 under section 35 USC 112, 2nd paragraph are now withdrawn in view of applicant's amendment and remarks.

In reply to applicant's remarks, see page 7, with regard to Corset's reference, the examiner respectively disagrees. In this case, Corset teaches: sending information necessary for decoding the image to a receiver [see col. 12 lines 49-50. This information refers to claimed "tag including a decompression instruction". In addition, the coding strategy mentioned in col.

12 lines 54-57 also qualifies as the so called "decompression instruction" according to abstract last four lines and column 15 lines 50-51]; information identifying a beginning, an outline and boundaries of the first segment [i.e., partition information corresponding to the contour information of each region mentioned in column 15 lines 51-52 corresponds to the so called "a beginning, an outline and boundaries of the first segment"].

In reply to applicant's remarks with regard to claims 6 and 10, see last paragraph of page 7 to page 8, the examiner respectively disagrees. In this case, Corset et al does teach storing the compressed segment comprising writing a data file [i.e., storage medium for storing coded signal mentioned in column 1 lines 16-18], but fails to teach writing data file with information including one or more of memory management, data description members, and display instruction members. However, Qian et al. teaches writing data file information [i.e., "integration into common file" shown at 17 of figure 1 and mentioned in column 3 lines 17-19] including memory management [i.e., flags stored in base layer mentioned in column 4 line 60 to column 5 line 21. Note the function of these flags is to indicate whether or not there is additional available information related to image data for transmitting. This interpretation is consistent with applicant's disclosed on page 11 of the specification lines 36-37 that states "The memory management includes a command or instruction that facilitates the maintenance of available memory during play back."]; data description members [i.e., MPEG-7 descriptors including shape mentioned in col. 8 lines 20-21 (note this interpretation is consistent with applicant's disclosed on page 12 of the specification line 9 that states "The data description describes data, including, but not limited to, shape)]; and display instruction members [i.e., the coordinates mentioned in col. 8 lines 31-35 and detailed in Table 1 in col. 5 lines 41-60. This interpretation

appears to be consistent with applicant's disclosed on page 12 of the specification lines 18-24]. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Corset et al. and Qian et al. in order to obtain the claimed invention as specified in claims 6 and 10 as suggested by Qian et al. in column 10 lines 54-61. The motivation to do so is to (1)prevent data overflow by transmitting a partial image data for viewing and indicating more available data upon request at viewer's choice [see Qian et al., column 5 lines 3-31], and (2)allow more compatibility in displaying and viewing image [see Qian et al. column 3 lines 26-28].

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duy M. Dang whose telephone number is 571-272-7389. The examiner can normally be reached on Monday to Friday from 5:30AM to 2:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Mancuso can be reached on 571-272-7695. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

dmd
7/05

JOSEPH MANCUSO
PRIMARY EXAMINER